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Attorneys for Plaintiff
13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18 SANDRA McKINNON and KRISTEN
TOOL, individually and on behalf of all others
19 similarly situated,

20 Plaintiffs,

21 v.

22 DOLLAR THRIFTY AUTOMOTIVE
GROUP, INC. d/b/a DOLLAR RENT A CAR;
DOLLAR RENT A CAR, INC.; DTG
23 OPERATIONS, INC. d/b/a DOLLAR RENT
A CAR; and DOES 1-10, inclusive,
24

Defendants.
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Case No. 12-cv-04457- SC

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME FOR
BRIEFING ON DEFENDANTS'
MOTIONS TO DISMISS FIRST
AMENDED COMPLAINT AND TO
STRIKE CLASS ALLEGATIONS;
DECLARATION OF ALAN M.
MANSFIELD IN SUPPORT**

Hearing Date: February 15, 2013
Time: 10:00 a.m.
Judge: Hon. Samuel Conti
Courtroom: 1

[Complaint Filed: August 24, 2012]

1 Pursuant to Fed. R. Civ. Proc. 15, and Civil L.R. 7-12, 6-1(b) and 6-2, it is hereby
2 stipulated by and between the parties, through their respective counsel, as follows:

3 WHEREAS, Defendants Dollar Thrifty Automotive Group, Inc., Dollar Rent A Car, Inc.,
4 and DTG Operations, Inc. (collectively "Dollar"), on December 12, 2012, filed motions to dismiss
5 and to strike class allegations directed at the First Amended Complaint pursuant to Fed. R. Civ.
6 Proc. Rules 12(b)(6) and 23(d)(1)(D) (Dkt. Nos. 33 and 34);

7 WHEREAS, in order to accommodate scheduling demands, holiday schedules, and present
8 scheduling conflicts, the parties wish to set a briefing schedule as follows:

9 Plaintiffs' opposition papers in response to Defendants' Motions shall be due on or before
10 January 15, 2013;

11 Defendants' reply papers in support of their Motions shall be due on or before February 1,
12 2013.

13 The hearing date shall remain on February 15, 2013 at 10:00 a.m., which was the earliest
14 available date for a hearing on such motions.

15 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT the parties
16 agree to the above schedule.

17 Dated: December 13, 2012

WHATLEY KALLAS LLC

18 By: S/Alan M. Mansfield

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Attorneys for Plaintiffs SANDRA McKINNON and
KRISTEN TOOL

9 Dated: December 13, 2012

SHEPPARD, MULLIN, RICHTER & HAMPTON
LLP

10 By:

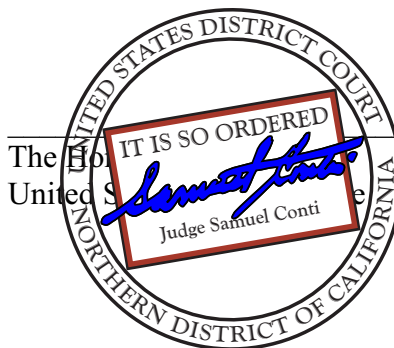
/s/ Peter S. Hecker

11 PETER S. HECKER
12 Attorneys for Defendants
13 DOLLAR THRIFTY AUTOMOTIVE GROUP,
INC., DOLLAR RENT A CAR, INC. and DTG
OPERATIONS, INC.

14 **Filer's Attestation:** Pursuant to L.R. 5-1(i)(3), Alan M. Mansfield hereby attests that concurrence
15 in the filing of this document has been obtained from all signatories.

16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

17 Dated: December 14, 2012



DECLARATION OF ALAN M. MANSFIELD

I, ALAN M. MANSFIELD, declare:

1. I am an attorney duly admitted to practice before this Court. I am with the law firm of Whatley Kallas, LLC, counsel for Plaintiffs in this case. I have personal knowledge of the facts set forth below.

2. As set forth in the above stipulation, the parties have stipulated that briefing on the two recently filed motions directed at the First Amended Complaint filed in this action shall be completed on or before February 1, 2013, and that the hearing on such motions shall remain set for February 15, 2013, which according to counsel for Defendants was the first available hearing date for such motions.

3. The reason for the requested extension is to permit counsel to adequately prepare and submit their respective responses and replies to the pending motions directed at the First Amended Complaint, and to accommodate counsels' scheduling demands, holiday schedules and present scheduling conflicts.

4. The only previous time modifications in this case are the parties' stipulation pursuant to L.R. 6-1(a) to extend Dollar's time to respond to the Complaint to and including October 18, 2012 (Dkt. #11), a Stipulation to extend the time to respond and reply to motions directed at the original Complaint (Dkt. #21 and #22), and the Stipulation extending time for Plaintiffs to file their First Amended Complaint to November 15, 2012 and for Defendants to file their motions by December 12, 2012 directed at the First Amended Complaint (Dkt. #24).

5. The Case Management Conference in this matter previously set for December 14, 2012 has been continued to March 1, 2013, and these motions are already set for hearing on February 15, 2013. The above stipulation will not affect those dates, as the briefing on motions directed at the First Amended Complaint shall be completed by February 1, 2013, two weeks

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1 before the date of that hearing. Accordingly, I do not believe the requested extension should have
2 any impact on the schedule for the case.

3 I declare under penalty of perjury under the laws of the United States that the foregoing is
4 true and correct. Executed this 13th day of December, 2012 at San Diego, California.

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6 /s/ Alan M. Mansfield
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16 Attorneys for Plaintiffs

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18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO**

20 SANDRA McKINNON and KRISTEN
21 TOOL, individually and on
behalf of all others similarly situated,

22 Plaintiffs,

23 v.

24 DOLLAR THRIFTY AUTOMOTIVE
GROUP, INC. d/b/a DOLLAR RENT A
25 CAR; DOLLAR RENT A CAR, INC.;
DTG OPERATIONS, INC. d/b/a DOLLAR
26 RENT A CAR; and DOES 1-10, inclusive,

27 Defendants.
28

Case No. 12-cv-04457-SC

CLASS ACTION

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury that I am employed with WHATLEY KALLAS, LLC, whose address is 580 California Street, 16th Floor, San Francisco, CA 94104/10200 Willow Creek Road, Suite 160, San Diego, California 92131. I am over the age of eighteen years and not a party to this action; that I served the below named persons the following documents:

STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME FOR BIEFING ON DEFENDANTS' MOTIONS TO DISMISS FIRST AMENDED COMPLAINT AND TO STRIKE CLASS ALLEGATIONS; DECLARATION OF ALAN M. MANSFIELD IN SUPPORT

- ☐ By personally delivering copies to the person served at the following address:
- ☒ Via the Court's electronic notification system to the addressees listed below;
- ☐ Via Electronic Mail. I caused the foregoing documents to be sent to the addressees named below via their email addresses as set forth.
- ☐ By Overnight Mail. By placing a Federal Express Envelope addressed to the named party on the service list attached hereto and depositing said envelope in the Federal Express Pickup Box located on Willow Creek Road in San Diego, California 92131.
- ☐ Via U.S. Mail. By placing a copy in a separate envelope, with postage fully prepaid, for each addressee named below and depositing each for collection and mailing pursuant to the ordinary business practice of this office, which mail is deposited with the U.S. Postal Service on the same day at San Diego, California.

SEE ATTACHED SERVICE LIST

Executed this 13th day of December, 2012 at San Diego, California.


SALLY CORMIER

SERVICE LIST

<p> SHEPPARD MULLIN RICHTER & HAMPTON LLP Peter S. Hecker, Esq. phecker@sheppardmullin.com Anna S. McClean, Esq. amclean@sheppardmullin.com David E. Snyder, Esq. dsnyder@sheppardmullin.com Four Embarcadero Center, 17th Floor San Francisco, CA 94111-4109 Tel: (415) 434-9100 Fax: (415) 434-3947 Attorneys for Defendants DOLLAR THRIFTY AUTOMOTIVE GROUP, INC.; DOLLAR RENT A CAR, INC. and DTG OPERATIONS, INC. </p>	<p> WHATLEY KALLAS, LLC Joe J. Whatley, Jr. (Admitted <i>Pro Hac Vice</i>) 380 Madison Avenue, 23rd Floor New York, NY 10017 Tel: (212) 447-7060 Fax: (800) 922-4851 Attorneys for Plaintiffs SANDRA McKINNON and KRISTEN TOOL </p>
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